

**LEGAL AND BUSINESS STUDY STOP PRESS  
EARLY WARNING TSUNAMI AT PRIME TIME ON INEWS**

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**ABSTRACT:** Early warning tsunami is the right of every citizen to know, guaranteed by the 1945 Constitution, and the Regulation of the Minister of Communication and Information No. 20/2006. The Minister of Communication and Informatics clearly states that broadcast media are obliged to broadcast Stop pressing contains early warning tsunami after the earthquake disaster. The impression took at least 30 seconds, with a high tone. This is the dilemma of broadcast media managers. Namely showing Stop press as a statutory obligation when the zone prime time television. During this time duration prime time the price is very expensive. However, Inews still prioritizes the interests of the community, by broadcasting Stop pressing, should reduce the duration. This is part of the responsibility and protection of legal rights for the community. In addition, Inews does not want to receive criminal sanctions, just for not broadcasting Stop pressing early warning tsunamis.

**Keywords:** Legal protection, stop press, Early warning tsunami, prime time

## **INTRODUCTION**

Every time there is a large earthquake of the above scale Magnitude 7 as well as the potential for a tsunami, broadcasting media compete to convey information quickly. Television stations that have been installed with WRS equipment (Warning Receiver System) by BMKG (Meteorology, Climatology and Geophysics Agency) can directly convey early warning information tsunami by stopping and blocking all ongoing events, within 30 seconds with sound tone tall one. This is known as Stop pressing, whose contents are in the form of graphics and explanations of information on the magnitude of the earthquake and its potential tsunami in a certain area.

This quick reaction of television is part of the realization of broadcasting media compliance with the regulation of the Minister of Communication and Information of the Republic of Indonesia Number 20/P/M.KOMINFO/8/2006, Concerning Early Warning tsunami or other disasters through broadcasters throughout Indonesia. Article (1) states that:

“The media is obliged to broadcast information on potential disasters as a means of Stop pressing in the shortest possible time without delay since the information is received from BMKG”<sup>1</sup>.

Share news television, Stop Press usually followed by Breaking News with an unlimited duration, according to the ability of the Editorial team and updates the event. Of course, Stop press or Breaking News hit a program that was on air on television, with the hope warning early warning tsunami immediately reach the community and become guidance rescue citizens.

Television is the most widely accepted medium in Indonesia. In the notes of Nielsen, a television research institute in America which is also used dozens of television stations in Indonesia, from 11 major cities in Indonesia that Nielsen researched show the tendency for viewers to favor television, compared to social media, radio and print. If it is assumed that Indonesia's active audience reaches 180 million people, then that number is very large.<sup>2</sup> This fact is directly proportional to the potential revenue television. Thus forcing television to comply with applicable laws, if you do not want to lose revenue. There is even a threat of criminal sanctions, if they intentionally violate the laws and regulations.

The Minister of Communication and Informatics Regulation number 20/KOMINFO/ 8/2006 is supported by Government Regulation of the Republic of Indonesia number 50/2005 article 17 paragraphs (10) and (11), clearly mentioning the obligation of private broadcasters to inform disaster early warnings.<sup>3</sup> This is what legal experts highlight why someone or the manager of a broadcasting institution must obey the law. This compliance is based on a written legal awareness that has valid or "rechtsgeltung".<sup>4</sup>

Legal expert Satjipto Rahardjo said that obedience is an active attitude based on motivation after humans gain knowledge. From knowing something, humans become aware, and act. The basis of obedience is education, habit, benefit, and group identification.<sup>5</sup>

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<sup>1</sup> Article 1 and article 3 paragraph (1) (2) (3) Regulation of the Minister of Communication and Information Technology no. 20/P/M.KOMINFO/8/2006, regarding Early Warning Tsunami or other disasters through broadcasting institutions throughout Indonesia, JDIH Legal Bureau of the Ministry of Communication and Informatics, p. 2

<sup>2</sup> Marianna, 2021, Media Evolution Post Covid & impact for news competition, Discussion Paper, Nielsen Workshop-Inews, at MNC Group, Jakarta: 30 November 2021, p. 21

<sup>3</sup> Article 17 paragraph (10) and (11) of the Government Regulation of the Republic of Indonesia number 50/2005 concerning the Obligation of Private Broadcasting Institutions to inform disaster early warnings, JDIH BPK RI, p. 15

<sup>4</sup> Soerjono Soekanto, 1977, Legal Awareness and Legal Compliance, Journal of Law and Development, Vol 7 No.6, p. 462

<sup>5</sup> Ibid, page 464

When the broadcast media complies with statutory orders, by broadcasting early threats tsunami In fact, television takes action to protect the public interest. We know that Indonesia is an archipelagic country with 17,508 islands, 5.8 million square kilometers of ocean, 81,000 kilometers of coastline and enter ring of fire. Consequences of entering ring of fire is that different types of disasters exist in this country of 270 million people.<sup>6</sup>

According to BMKG records, most of the tsunami caused by an earthquake with magnitude more than 7. The degree of damage from the earthquake and tsunami, in some cases horribly. Human victims, as well as property destroyed. Therefore warning from BMKG urges the public to be vigilant, with early warning tsunami after the earthquake. In this case, BMKG and television media have done what they should have done, namely to protect the public from harm. That the community has the legal right to be protected from various dangers, both dangers originating from humans and nature. Professor Philipus Mandiri Hadjon said the theory that could be applied to protect the public was the theory of legal protection for the people. Namely the protection of the dignity of legal subjects related to the existence of human rights and obligations when interacting with others.<sup>7</sup>

Meanwhile, according to Satjipto Rahardjo, legal protection for the community is to provide protection for human rights (HAM) and that protection is given to the community so that the public can enjoy all the rights granted by law. This is where the theory of legal protection applies, a theory that examines and analyzes the form or purpose of protection, protected legal subjects and objects of protection provided by law to their subjects.<sup>8</sup>

As subjects, people feel protected from the threat of danger tsunami, when television complies with Perkominfo number 20/KOMINFO/8/2006, namely showing Stop Press early warning tsunamis. Once the community knows, they can anticipate quickly, and victims can be minimized.<sup>9</sup>

Now television is more advanced and modern. Hundreds of programs that have business value are growing rapidly. Within 24 hours, television divides programs into several time zones, namely Morning, Afternoon, Evening, Prime Time and Night. At each time, the value of the business is different. The more potential viewers, the value of the business every second the

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<sup>6</sup> Wikipedia, "List of Islands in Indonesia", accessed 10 February 2022, 16:35 WIB, [https://id.wikipedia.org/wiki/Daftar\\_island\\_di\\_Indonesia](https://id.wikipedia.org/wiki/Daftar_island_di_Indonesia)

<sup>7</sup> Philipus M. Hadjon, 1987, *Legal Protection for Indonesian People*, Surabaya: Science Development, p. 25.

<sup>8</sup> Halim & Erlies Septiana Nurbani SH, MH, 2013, *Application of Legal Theory in thesis and dissertation research*, Jakarta: Raja Grafindo Persada, p. 262

<sup>9</sup> Irina Rafliana & Ardito M. Kodijat, 2012, "Tsunami Early Warning Information Guide for Broadcasting Institutions", Jakarta: Tsunami Information Center unecso office, Second edition, p. 55

duration is also different. And all television excels prime time, 17.00 WIB - 23.00 WIB, because it has the potential to have the most viewers, compared to other hours. No wonder if the value of the business or the price of advertising is also more expensive.<sup>10</sup>

For television owners, the presence of the Minister of Communication and Informatics Regulation 20/KOMINFO/8/2006 is sometimes a dilemma, namely when the program enters at the same time. prime time, must air Stop Press. Of course the opportunity to dredge the coffers of advertising is reduced. But showing Stop press early warning tsunami for services and education and information to the public, is much more important. Is it true that broadcasters violate and do not broadcast? Stop Press early warning tsunami, the person in charge can be punished? A person or person in charge of the institution can be punished if there are several elements, one of which is menses real, intent to do evil. In addition, there is also an element of negligence.<sup>11</sup>

## **METHODOLOGY**

The form of research in writing this thesis is normative juridical, namely analyzing the relationship between applicable laws and regulations with legal theories and practices of implementing positive law. This study analyzes legal issues, facts, and other legal phenomena related to a legal approach, then obtain a comprehensive picture of the problem being studied. Research in the form of descriptive analysis only describes the object of the problem and is not intended to draw general conclusions.<sup>12</sup>

So the normative juridical method is associated with library data where earthquakes and tsunami has happened and is well reported in Stop Press or continue with Breaking News. Research conducted in the last 6 years in INews on earthquakes and tsunamis in prime time television.

The type of normative juridical approach of this research prioritizes library data, namely research on secondary data. This can be in the form of primary, secondary or tertiary legal materials.<sup>13</sup> To deepen the research, interviews of relevant competent resource persons, library surveys at INews and BMKG were added, as the main resource persons for this research.

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<sup>10</sup> Interview with Mohammad Zaki Kurniawan, Head of Marketing Sales Division of Inews, 10 February 2022

<sup>11</sup> Articles 359 and 360, the Criminal Code (KUHP), p. 50

<sup>12</sup> Soerjono Soekanto, 2010, PIntroduction to Legal Research, Jakarta: UI Press, Jakarta, p. 81

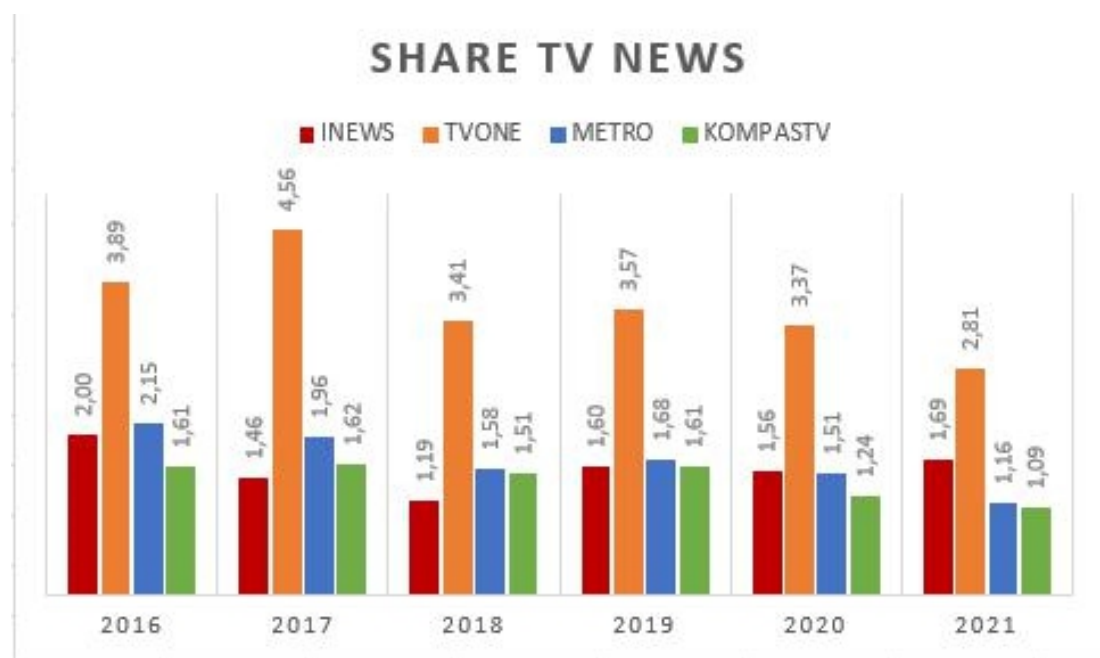
<sup>13</sup> Gunawan Nachrawi, Legal Research Methodology, Teaching Materials for Legal Studies Research Methods (MPIH), Jakarta : STIH IBLAM, December 2020

The results of the collection of materials were processed and then analyzed with legal theories, and the opinions of legal experts and media experts became the results of a comprehensive research.

## DISCUSSION

INews is a national news television network that was born on April 6, 2015 and is part of the MNC Media group, which consists of RCTI, MNCTv, GTV and INews. INews is the only news television in the group, and its coverage team is part of the MNC Media News gathering which has networks and bureaus in 61 cities in Indonesia, with local and national content. There are at least 360 Contributors in 360 cities in Indonesia, and 45 Reporters and Cameramen in Greater Jakarta. Not surprisingly, with a solid coverage team and production team, in the first year INews immediately skyrocketed to number two, in the midst of four television stations.

News that preceded it, namely TV One, Metro TV, Kompas TV and TVRI. The success of being ranked number two was won again in 2020 and 2021.



Source: MNC Media Group Research, March 2022

Since INews was born, the target audience is Male, which is synonymous with a generation that is hungry for the latest information. In its development, the target audience has also developed, in accordance with the progress of INews. Measures to see how viewing status can be

<sup>14</sup> Interview with Apreyvitawulansari, Chief Editor of INews, 20 February 2022

seen from several points such as gender, age, monthly income, education and occupation. The following is a graph of the Inews audience development index from 2016 to 2021. (The index is only analyzed by Nielsen's research when it reaches 100). For 2016, a year after the declaration of Inews to become news television, it is clear that the audience is dominant male (MALE: index number 112), with age 55+ (AGE: index number 222), and adult viewers aged 30 – 54 (ADULT AGE:index number 137), with monthly expenditures of more than IDR 1.5 million and above (SEC UPER MALE:index number 121).

Inews Audience Profile 2016 - 2021

Target \ Year	Target \ Year	2016	2017	2018	2019	2020	2021
GENDER	MALE	112	111	106	102	95	102
	FEMALE	88	88	94	98	104	98
AGE	M KIDS 5-9	56	60	70	58	62	46
	M TEENAGERS 10-19	76	82	75	67	74	65
	M YOUNG ADULT 20-29	74	70	83	74	66	57
	M ADULT 30-54	137	134	118	111	107	112
	M ELDER 55+	222	218	184	208	161	241
	F KIDS 5-9	47	61	60	59	62	36
	F TEENAGERS 10-19	49	53	61	62	62	59
	F YOUNG ADULT 20-29	70	70	63	65	67	59
	F ADULT 30-54	113	109	122	122	135	126
	F ELDER 55+	147	150	134	155	156	171
SEC	M UPPER	121	109	125	121	104	113
	M MIDDLE	109	121	105	100	95	103
	M LOWER	105	60	74	59	77	68
	F UPPER	90	83	117	123	124	103
	F MIDDLE	91	99	93	92	103	99
	F LOWER	55	40	56	54	63	81
EDUCATION	M LOW EDU	81	89	91	92	98	89
	M MEDIUM EDU	126	121	109	103	92	107
	M HIGH EDU	143	138	151	133	105	114
	F LOW EDU	67	73	78	85	94	95
	F MEDIUM EDU	99	97	102	102	111	100
	F HGH EDU	108	104	123	124	108	102
OCCUPATION	M STUDENT	64	72	70	65	73	62
	M WHITE COLLAR	172	162	149	132	129	148
	M BLUE COLLAR	110	111	106	101	92	103
	M RETIRED/NOT WORK	182	158	133	145	116	128
	F STUDENT	52	59	63	64	67	53
	F WHITE COLLAR	81	88	79	93	119	124
	F BLUE COLLAR	76	61	75	77	86	84
	F HOUSEWIFE	128	128	135	137	146	140
F RETIRED/NOT WORK	85	86	72	78	68	65	

Source: MNC Media Group Research Team, January 2022

However, in 2016, INews also received viewers whose spending levels were from Rp. 500 thousand to Rp. 1 million (SEC LOWER: index number 105). In terms of education, male viewers are dominated by high school or high school graduates (EDUCATION: HIGH EDU index number 143) and junior high school graduates (index number 126), and in the profession the occupation is dominated by retirees (OCUPATION RETIRED: index number 182), including male viewers, decision makers are also viewers of Inews seen in index number 172 (OCUPATION WHITE COLOR: index number 172). Compared to male viewers, in the first year of 2016, INews was also colored by viewers female, although small with an index number of 88 . While age female also dominant 55+ (AGE ELDER: index number 147), and adults aged 30-54 years were also seen (ADULT AGES; index number 113). While the level of education female dominated by high school or high school graduates (EDUCATION HIGH EDU: index number 108). And uniquely, the female audience here is dominated by housewives (OCUPATION HOUSEWIFE: index number 128). With the index numbers above, it turns out that INews viewers in 2016 were dominant viewers male with higher education status, but have entered retirement age. While the audience female, dominated by housewives.

In its journey from year to year, INews audience has not changed much. Until development enters 2020, there is a shift in viewer dominance towards female (GENDER FEMALE:index number 104), far away from Male which only entered the index number 95. This could happen because during the COVID-19 pandemic, in 2020 where people were restricted from leaving their homes, television became a complement to entertainment and information for women. So that the graphic numbers are more dominant than male viewers. During this 2020, viewers female at the job point, appears white color with a figure of 119. This shows that female workers WFH more (work from home), apart from working from home, they also enjoy Inews news. Uniquely in 2021, when entering the second year of the pandemic, female viewers aged 55+ were very high at the index number 171. However, that number was still far behind, where male viewers jumped at the same age as 55+ to reach an index number of 241, the number very high. And both the numbers in the monthly expenditure index points, education and employment, in the second year of the pandemic, namely 2021, male viewers again dominate compared to female viewers. The index for men in the field of education for junior high school graduates, for example in 2020, is below the index of 100, which is only 92. But in 2021 it has shot up to an index number of 107. While female viewers, in 2021 both junior high and high school graduates have dropped to the number index 100 (EDU MEDIUM)and index number 102 (HIGH EDU).

Previously they index 111(EDU MEDIUM)and index 108 (HIGH EDU) in 2020. This means, when the pandemic begins to decline, INews viewers will return to the years before the pandemic, namely the dominance of points by male.

Research by MNC Media, launched from Nielsen, said that jThe number of television sets in Indonesia currently reaches around 60 million units, meaning that every household has at least one television set. Meanwhile, to find out how big the number of active television viewers is, it can reach 3 times the number of existing televisions, which is around 180 million active viewers. In the large Indonesian dictionary, Rating interpreted as a rating or rating number, which at the same time counts the number of televisions that are on. Temporary share is to count how many viewers are watching television at the same time.

If they are calculated with an index of 100 percent, then a rating whose value is 0.2 and a share of 2 is identical to 0.2 or 120,000 televisions that are on at the same time or when calculated by Nielsen. Meanwhile, the share with an index of 2 percent is 2 percent of the total 180 million viewers, around 3,600,000 viewers. With this average calculation, of course the news on Inews is able to influence the attitudes and behavior of its viewers among young people and millennials.<sup>15</sup>

In its journey, Inews strives to capture a potential young and millennial audience niche increase share and rating. Inews later split show time:

- |                       |                      |
|-----------------------|----------------------|
| a. Early morning time | At 02.00 – 04.59 WIB |
| b. Morning time       | At 05.00 – 08.59 WIB |
| c. Day time           | At 09.00 – 11.59 WIB |
| d. Noon time          | At 12.00 – 15.59 WIB |
| e. Evening time       | At 16.00 – 16.59 WIB |
| f. Early prime time   | At 17.00 – 18.59 WIB |
| g. Prime time         | At 19.00 – 20.59 WIB |
| h. Late prime time    | At 21.00 – 21.59 WIB |
| i. Night time         | At 22.00 – 23.59 WIB |
| j. Mid Night time     | At 24.00 – 01.59 WIB |

The types and types of viewers can be known according to the time the audience is watching. Audience type in hours morning time, different from diday time, especially at hours night time. It is believed by all classes that the probability of watching television is very large, both from children who are usually measured by 5+ to Teenagers 15+, Adults 30 – 54 and even retirees 55+, of this type. Female/Male, who are educated from low to high, will gather at Prime Time. Hour prime time this is the prime time for viewers and advertisers where there is intense competition from various business interests and information. Consequently, the price of advertising is the most expensive.

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<sup>15</sup> Interview with Yunita Mandolang, Head of Research Division of MNC Media Group, 5 March 2022



For example, hours Prime Time, 17.00 - 21.59 WIB, duration of 30 seconds, advertising price of Rp. 30 million in the program "INews Room", if the ad deal plays four times, then just multiply Rp. 30 million x 4 times the impressions, which is Rp. 120 million. Total duration 2 minutes.<sup>16</sup>

This is often a dilemma for television managers. If Stop Press present in the area prime time, opportunity revenue gone, swiped the ad for 30 seconds. However, this INews must comply with the regulation of the Minister of Communication and Information No. 20/KOMINFO/8/2006 which requires broadcasting Stop Press early warning tsunami as soon as possible, for the benefit of a larger audience.

### **Theory economics of Law In Stop Press Inews**

INews is a business organization whose main goal is to gain material benefits. But INews is not solely looking for profit, because it has other tasks. Namely, the task of the press as a medium of information, entertaining, educating and providing solutions is clearly regulated in the law Invite Press Law 40/1999. In accordance with article 2 paragraph (3) it is stated that the role or press position.

An organization in the press institution in its development, since the era of struggle, the old order era, the new order, until the reform era there are striking differences. In the new order era, the press institution was very closely guarded by the government. The issuance of SIUPP (Permit for Press Publishing) is limited and the conditions are very strict. Meanwhile, in the reform era, it tends to be easy, and the mass media is starting to enter the spring. The press is no longer haunted by being banned. Control over the life of the press has shifted to social and legal mechanisms. Anyone who feels aggrieved by the news is given the right to the right to reply, and can even take legal action if the news carried out by the press is deemed to have violated the criminal law (press offense).<sup>17</sup>

So, the Continuity of the press is no longer determined by the Government, but the public is the one who judges and controls it. This is where the mass media enter the industrial world. There is a Press/broadcasting organization or institution, that is where to seek the maximum profit. Many national and regional televisions have sprung up, including the news television genre Inews, which was born in the reform era. Competition here is important to collect coffers of money. in other words "duration is money".

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<sup>16</sup> Ibid, Interview with Head of Marketing Sales Division Inews

<sup>17</sup> Kamaruddin, 2018, Press Management on Mass Media in the Reformation Era (Study on the Delivery of Islamic Da'wah), Journal of Islamic Communication and Public Relations (JKPI), Vol. 2, No. 2, 2018. Pg. 128, ISSN: 2621-9492, read February 23, 2022, at 22.30 WIB, <https://core.ac.uk/download/pdf/267946971>

Meanwhile, Onong Uchjana Effendi said that the press is not the same as an organization in the form of a company that is solely for profit. profit oriented). In the Press Law no. 40/1999 mentions that the press is social institutions which is a subsystem of the social system in which the press operates, together with other subsystems. Managers of press institutions, especially journalists or journalists, must adhere to ideals in carrying out their profession. This idealism is guided by implementation that itself include; spread entertain), influence. The idealism of the press lies in its ability to carry out these functions in a balanced manner.<sup>18</sup>

Related to this, Onong Uchjana Effendi reminded that the that management of the press will relate to two dimensions, ideal and that is dimensions commercial dimensions. The fact now, the life of the press tend to be more many put forward aspects of commercialism. A press that loads and serves ads too much and performs more of an entertaining function (to entertain) is a strong indication to assess that the press today tends to play a role as a business institution (profit oriented) rather than maintaining its idealism as a press that educates and carries out its social control function (social control).

In this case, INews tries to maintain idealism, but is also required to be able to generate commercial value from each program. Associated with Stop Press As an obligation, INews is proven to have done what it was supposed to do, which was to convey information Stop Press when there is an early warning tsunamis. Stop Press it was noted to be present in several reports, crashing or stopping any ongoing event. The concern of news managers or producers to present stop press, recognized as a legal Obligation to provide fast and accurate information. However they also understand that presenting Stop Press while the program is running, is to reduce the duration which can be of high economic value. However, for the sake of legal compliance and for important information, economic factors are a secondary consideration.<sup>19</sup>

Jeremi Bentham and Richard Posner in the book economic analysis of law, describes the laws of economics incorporating important elements such as purity, breadth, duration, intensity, certainty, fertility, familiarity which can be trusted can reach the level the greatest happiness of the greatest number. According to him, the law can only be recognized as law if it can provide the greatest benefit to the people.<sup>20</sup>

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<sup>18</sup> Onong Uchjana Effendi, 2000, Introduction to Mass Communication. Jakarta: PT Raja Grafindo Persada, 2000, p. 81

<sup>19</sup> Interview with Apreyvita Wulansari, Chief Editor of Inews, Jakarta, Wednesday 10 February 2022

<sup>20</sup> Mardani, 2011, Sharia Economic Law in Indonesia, Bandung: PT. Refika Aditama, 2011, p. 168

Meanwhile, the legal analysis framework developed by Richard Posner in his conception of legal economic analysis is that people/ institutions will comply with legal provisions if the parties estimate that they can gain greater benefits than violating them, and vice versa.<sup>21</sup>

So, the decision of the INews manager to comply and keep on airing Stop Press According to the Regulation of the Minister of Communications and Information Technology Number 20/KOMINFO/8/2006, it becomes important not only from a legal perspective, but also from an economic or business activity that can have a further impact on profits and losses from the company's financial point of view.

The satisfaction of a reporter or producer, is how the news that is made can have an impact and influence on the behavior of the person being written, be it members of the public, especially for government officials. The producers hope With his writings, it is this positive impact and influence that drives the editors to remain consistent with the ideals of the press.<sup>22</sup> But on the other hand, for the sales marketing team, duration is money. Until the presence Stop pressing, even if it's only 30 seconds in the main program prime time, is often the subject of an exciting discussion between the editor and sales marketing. Although finally, in some cases earthquakes and potentially tsunami in INews, finally the editor who won the distinction. The reason is for the safety of the people, money is the second number.

The INews strategy has also changed. Precisely when there is an earthquake and potentially tsunamis, followed by the presence Stop pressing, the editors think this is the time for this event to make money, with a strategy known as value content and value revenue, got the news, got the money.<sup>23</sup> According to the Head of the Marketing Sales Division of INews, Muhammad Zaki Kurniawan, so far he has implemented a sudden advertising strategy for certain programs. The strategy referred to as Stand by commercial This, is an advertising agreement between INews and the client, in which the advertisement will appear automatically, if Stop pressing containing early warning tsunami show. These ads are generally different in price, both run on time prime time or non prime time, adapted to the conditions.<sup>24</sup> So INews is trying to keep it live Stop pressing with a certain duration, but still get revenue into company pockets. It means the public still gets early warning information tsunami in accordance with government regulations, while broadcast media management still gets revenue from clients. Likewise with clients, they will feel satisfied, because usually the show is on time Stop press, let alone enter at the hour prime time, viewers will be more and share and rating will also increase.

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<sup>21</sup> Richard Posner, 1989, Economics analysis of Law, Boston, London : Little, Brown and Company, 1989, p. 3

<sup>22</sup> Interview with Apreyvita Wulansari, Chief Editor of Inews, Jakarta, Wednesday 10 February 2022

<sup>23</sup> Ibid, Apreyvita wulansari

<sup>24</sup> Interview with Mohammad Zaki Kurniawan, Head of Marketing Sales Division of Inews, Jakarta, 10 February 2022

## **Legal Protection In Stop Press INews**

Author searches, at least in earthquakes and early warnings appear tsunami at the hour prime time between 17.00 – 23.00, in the last 6 (six) years there are not many, namely Mentawai earthquakes have been recorded magnitude 8.3 on March 2, 2016 at 19.49 WIB, Palu Earthquake magnitude 7.7 on 28 September 2018 at 17.02 WIB, the Banten earthquake magnitude 7.4 on August 2, 2019 at 19.02 WIB. Three potential earthquakes tsunami what we researched, INews carried out dissemination Stop press well in Palu and Banten. However Stop Press in the Mentawai islands, INews fails to broadcast Stop pressing, because at that time there was no Warning Receiver System (WRS) in the Master control studio, because the BMKG has not yet been installed, as an institution that has the systems and tools. However, the INews Editor is still looking for it from other sources and reporting it directly Breaking news.

Stop press INews during earthquakes and potential tsunami  
Kep. Mentawai, West Sumatra, March 2, 2016, Prime Time 19.49.41 WIB



Source: BMKG InaTews, March 2016

To patch up the late broadcast Stop Press in the Mentawai Islands, INews repeatedly displays content graphs Stop press in Breaking news, with the hope that the public can see and then save themselves in the golden times. That is the time when people raced to save themselves at the speed of the tsunami waves coming to the beach. The duration of the golden times varies depending on the speed with which the tsunami travels, the distance from the epicenter of the earthquake at sea to the coast, and the depth of the source of the earthquake at sea.

If the role of INews and the earthquake with the potential for a tsunami in the three areas is included in the theory of legal protection, of course Perkominfo 20/KOMINFO/8/2006 is very effective in encouraging INews to make efforts to serve the public with information and dissemination of tsunami early warnings quickly and accurately. Legal protection theory is basically a theory related to the provision of services to the community, as stated by Roscoe Pound that law is a tool of social engineering (Law as Tool of Social Engineering). Human interest is a demand that is protected and fulfilled by humans in the legal field.<sup>25</sup>

INews tries its best to comply with what is regulated in the Act by protecting the legal interests of the community and individual interests, as Roscoe Pound calls it. This early warning information in the Mentawai islands does have results, when tsunami came on the beach and entered the village, the people had saved themselves. The damage was only material, while the human casualties were minimal. This is where the role of INews participates in protecting the rights and interests of the community directly or indirectly through programs required by government regulations, namely by broadcasting Stop pressing.

Meanwhile, the protection of law and human rights, which Philipus M. Hajon requires means of repressive legal protection, the aim of which is to prevent disputes between broadcast media and the government. The principle of legal protection against government actions is based on and sourced from the concept of recognition and protection of human rights because according to history from the west, the birth of concepts regarding the recognition and protection of human rights is directed at the limitations and obligations of society by the government. Where the government with the Regulation of the Minister of Communication and Information Number 20/8/KOMINFO/2006 is supported by the Government of Indonesia Regulation Number 50/2005, which requires broadcasts Stop press early warning tsunami, can be implemented well by INews. Indirectly, compliance INews broadcast Stop press is part of the protection of people's human rights to live comfortably and safely.

The second principle that underlies legal protection against acts of government is the rule of law. Associated with the recognition and protection of human rights, the recognition and protection of human rights has the main place and can be linked to the objectives of the rule of law.<sup>26</sup>

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<sup>25</sup> Donald Albert Rumokoy & Frans Maramis, 2014, Introduction to Law, Jakarta: PT. Grafindo Persada, 2014, p. 44-47

<sup>26</sup> Philipus M. Hadjon, 1987, Legal Protection for Indonesian People, Surabaya: Science Development, 1987, p.25

That means the price of 30 seconds duration Stop press Rp. 30 million, not comparable to the value of information that is effectively disseminated through Inews. Because with early warning information tsunami This value can be infinite, because people can know and then take action to save themselves, even together with family and other people.

### **Legal Liability of Stop Press Inews**

Why does INews have to comply with the laws regarding the Stop press for tsunami early warnings? solely as the main task of broadcasting media is legally responsible for conveying information to the public, or for fear of legal sanctions and social sanctions if they do not comply with the law? A professor at the Faculty of Law, Parahyangan University, Bandung, Arief Sidharta, provides an analysis of why the law must be obeyed by a person/ institution. There are at least five reasons why people/institutions want to obey the law:

- a. Fear of sanctions.
- b. Choice.
- c. The influence of the environment and the people around it.
- d. There is no other choice
- e. The combination of the four factors mentioned above.<sup>27</sup>

Of the five reasons why people/institutions want to obey the law, the factor of fear of sanctions dominates the reason for the media to broadcast Stop pressing early warning tsunamis as soon as possible. Because broadcasting media managers are worried, the sanctions can be in the form of criminal/jail or civil/fine.<sup>28</sup> These two forms of sanctions are indeed enough to make people/institutions think far if they will violate. In clear civil cases, it could be threatened that the broadcast media business license will not be extended. Meanwhile, criminal sanctions can apply to the person in charge or the editor-in-chief of the news that is declared wrongly made and decided by the panel of judges. With the threat of sanctions, despite going through a long KPI process, Press Council, making news producers or managers in Inews calculate the further impact, if not broadcast Stop pressing tsunami early warning.

### **Sanctions for Broadcasting Media**

Is it true that there are sanctions for broadcast media that do not broadcast and do not comply with the laws and regulations that require the broadcast of early warnings? tsunami? The author's search for the last 6 (six) years, on various television news and entertainment genres, including Inews has never been found. This happens because most television broadcasts early

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<sup>27</sup> Mochtar Kusumaatmadja and B. Arief Sidharta, 2009, Introduction to Law A First Introduction to the Scope of Applicability of Legal Studies, Bandung: PT Alumni, 2009, p. 21

<sup>28</sup> Interview with Apreyvitawulansari, Chief Editor of Inews, Jakarta, 10 February 2022

warnings tsunamis, even though some don't go through the mechanism Stop press. Some television news, some choose to broadcast directly Breaking news, because of the magnitude magnitude news, and it is important to be delivered in a long and repeated duration.

Earthquake Cases and tsunami The Mentawai Islands in March 2016, became one of the examples on Inews that did not broadcast stop press, but direct Breaking news. The information is the same as Stop press, only the duration is even longer.

Is this sanctioned by the Indonesian Broadcasting Supervisory Agency (KPI)? Commission Until the time of the evaluation, there has never been a "letter of warning" or a letter of sanction, which is usually received by broadcasting media, if you commit a violation. This means that there are no sanctions, despite the fact that the broadcast is late Stop pressing. And the search for the past 6 years, never been in a disaster case tsunami KPI issued a warning letter because the broadcast media was late in broadcasting the early warning tsunami through Stop pressing. Moreover, INews, actually brings breaking news, 20 minutes after the threat tsunami issued in Stop press.

In case of delay Stop Press early warnings tsunami Mentawai islands, Inews does contain elements of error or negligence. Can responsible for being punished? Criminal liability is a form of action from the perpetrator of a crime against the mistake he did.

Roeslan Saleh said that the definition of a criminal act does not include accountability. Criminal acts only refer to the prohibition of the act. Whether the person who has committed the act is then also sentenced to depend on whether he or she has committed the crime or not. If the person who committed the crime did have an error, then of course he would be punished. However, if he is innocent, even though he has committed a forbidden and despicable act, he can go unpunished. The unwritten principle: "There is no punishment if there is no mistake", is the basis for the punishment of the maker.<sup>29</sup>

What the INews Editor did in the Mentawai Islands case was far from reprehensible, even though it was broadcast late Stop press early warning tsunamis. But the good intention of INews is to pursue other sources, and serve the contents Stop press in the program breaking news, whose duration is even longer than Stop press.

It means malicious intent or criminal liability in common law system always associated with menses rea and punishment, was not found in this INews case. It means related to menses rea, that criminal liability is based on a mental state, namely as a guilty mind not applicable in the

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<sup>29</sup> Roeslan Saleh, 2002, *Thoughts About Criminal Liability*, Jakarta: Ghalia Indonesia, 2002, p. 75

case of Inews. Mistakes as partmenses reais also interpreted as an error for breaking the rules. Anyone who violates the law then that person must be held accountable.

The Criminal Code (KUHP) does not clearly state the criminal responsibility system adopted. Several articles in the Criminal Code often mention errors in the form of intentional or negligence. There is no further explanation regarding intentional errors or negligence, but based on the doctrine and opinions of legal experts regarding the existing articles including Article 359 and Article 360 of the Criminal Code, it can be concluded that these articles contain elements of intentional error or negligence which must be proven by the court.<sup>30</sup>

In criminal law in Indonesia what is used is error in a normative sense. Normative error is an error from the point of view of another person regarding a person's actions, which is seen from the point of view of the norms of criminal law, namely intentional errors and omissions. From an act that has occurred, other people will judge according to the applicable law whether there was an error, either intentional or due to an omission.

Meanwhile, regarding sanctions and Inews compliance in complying with the rules for broadcasting early warningtsunamiThis is in line with what was stated by Roscoe Pound in the theory of punishment which is included in the category of Teleological Theory (objective), it can apply if the media intentionally does not commit crime.Stop Pressearly threattsunami, even though it has fulfilled the requirements, the information should have been conveyed to the public. The media can be accused of violating the Kemenkominfo regulation number 20/KOMINFO/ 8/2006. In this case, the punishment theory views that punishment is not a revenge for the perpetrator's mistakes, but a means of achieving a useful goal to protect the community towards the welfare of society. Sanctions are focused on the goal, namely to prevent people from committing crimes, it is not aimed at the absolute satisfaction of justice.<sup>31</sup>

Meanwhile, the Press Law, Broadcasting Law and Article (6) of the Minister of Communication and Informatics Regulation number 20/KOMINFO/8/2006 regulates criminal sanctions for media that do not broadcast their broadcast obligations. Stop Press. According to the Press Law criminalize media managers, the principle must applyLex specialis derogate legi generali,that is, it must go through the KPI (Indonesian Broadcasting Commission), then the Press Council. If there is no peace between the two institutions, then the judicial process will enter.

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<sup>30</sup> Hanafi Amrani & Mahrus Ali, 2015, Criminal Liability System, Jakarta: Rajawali Pers, 2015, p. 52.

<sup>31</sup> Moeljatno, 1985, Building Criminal Law, Jakarta: Ina Aksara, 1985, p. 12



## CONCLUSION

INews deserves to be an example of how to disseminate early warning tsunamis. Despite struggling with the price of expensive duration on the prime time, keep on airing Stop press early warning tsunami. Precisely a marketing strategy with standby commercial for advertising stop press, information stays up, legal obligations don't matter. It means constant, value content and value revenue. This is where INews proves itself as a law-abiding media, according to Permenkominfo number 20/ KOMINFO/8/2006, as well as legal responsibility and protection of legal and social interests for the community. INews has no choice, because there are legal sanctions if it doesn't broadcast Stop press. However, it needs effective control over the broadcast Stop pressing by KPI and Kominfo so that INews remains consistent in complying with the law, prioritizing the interests of the community, even though it has to lose a duration that has business value.

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